



## PATENTS

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Heath et al. ) Examiner: **Goldberg, Jeanine**  
Serial No.: **09/241,636** ) Art Unit: **1634**  
Filed: **February 2, 1999** ) Docket No.: **Q008 1050.1**  
Title: **PROCESSES FOR ISOLATING, AMPLIFYING** ) Confirmation No.: **8977**  
**AND CHARACTERIZING DNA** )

### INFORMATION DISCLOSURE STATEMENT

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant requests that the Examiner initial and return a copy of the enclosed Form PTO/SB/08A and PTO/SB/08B to indicate in the official file wrapper that each item has been considered.

The following summarizes the status of copies of listed information provided with the instant Information Disclosure Statement:

- copies of Items K – X are attached hereto;
- copies of Items A - J are not attached.

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

PAT TURNBROUGH  
Typed or printed name

Pam Turnbrough  
Signature

July 3, 2007  
Date

**Notice under MPEP 2001.06(b) – Relating to Co-pending U.S. Applications**

Applicants also request that the Examiner review the below-listed patent applications. Applicants do not waive the confidential nature, if any, of the below-listed patent applications.

- U.S. Patent Application No. 09/241,637 filed February 2, 1999;
- U.S. Patent Application No. 10/075,593 filed February 15, 2002; and
- U.S. Patent Application No. 10/937,746 filed May 4, 2005.

**Miscellaneous**

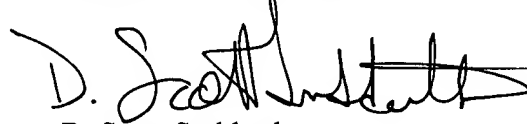
Applicant reserves the right to establish the patentability of the claimed invention over any of the cited information and/or to prove that any purported teaching of the cited information is not enabled. Applicant also reserves the right to assert that the cited information is not available as a reference, is not prior art, and/or is not “material” to patentability. Applicant further reserves the right to assert that this citation of information does not constitute an admission of priority and/or does not constitute a waiver of any right Applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

This citation of information should not be construed as an admission that Applicant has an obligation to provide this information in the present application or as a representation that an exhaustive search has been made, that the information disclosed is material, that the information disclosed is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102, or that information more material to the examination of this Application does not exist. The order of presentation of information on the attached Form(s) SB/08 should not be construed as an indication of importance of the references. Applicant requests that the Examiner conduct an independent and thorough search and examination of all pertinent art, and consider completely the information disclosed hereby, along with any other information, in reaching a determination of patentability.

In accordance with 37 CFR 1.97(c) and 1.17(p), Applicant authorizes the Commissioner to charge \$180.00 to our Deposit Account No. 09-0528 representing the filing fee for filing this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to account no. 09-0528.

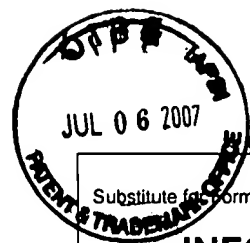
Respectfully submitted,



D. Scott Sudderth  
Reg. No. 34,026

Date: July 3, 2007

WOMBLE CARLYLE SANDRIDGE & RICE  
*A Professional Limited Liability Company*  
P.O. Box 7037  
Atlanta, GA 30357-0037  
404-962-7527 (Telephone)  
404-870-8177 (Facsimile)  
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Docket No.: **Q008 1050.1**



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Substitute for Form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	09/241,636
Filing Date	February 2, 1999
First Named Inventor	Ellen Heath
Group Art Unit	1634
Examiner Name	Goldberg, Jeanine A.
Attorney Docket No.	Q008 1050.1

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	A	US-5,057,426	10-1991	Henco	
	B	US-5,234,824	08-10-1993	Mullis	
	C	US-5,286,644	02-15-1994	Doersen et al.	
	D	US-5,342,931	08-1994	Woodard et al.	
	E	US-5,496,562	03-05-1996	Burgoyne	
	F	US-5,652,141	07-29-1997	Henco et al.	
	G	US-5,750,346	05-1998	Bridgham et al.	
	H	US-5,770,365	06-1998	Lane et al.	
	I	US-5,973,137	06-02-1997	Heath	
	J	US-6,093,695	07-25-2000	Rupar et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	K	WO 90/03959	04-19-1990	Burgoyne		
	L	WO 92/07863	05-14-1992	Henco		
	M	WO 95/02049	01-19-1995	Jones		
	N	WO 97/10331	08-28-1996	Gonzales		
	O	WO 98/03674	01-29-1998	Gray et al.		
	P	WO 99/03959	04-19-1990	Weber		
	Q	EP 0 580 305	01-26-1994	Seed		

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/241,636
				Filing Date	February 2, 1999
				First Named Inventor	Ellen Heath
				Art Unit	1634
				Examiner Name	Goldberg, Jeanine A.
				Attorney Docket Number	Q008 1050.1
Sheet	2	of	2		

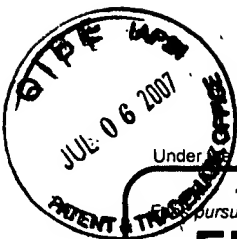
[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: initial IF reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Bo 1450, Alexandria, VA 22313-1450.

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Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2007**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **180.00****Complete if Known**

Application Number	09/241,636
Filing Date	February 2, 1999
First Named Inventor	Ellen Heath
Examiner Name	Goldberg, Jeanine
Art Unit	1634
Attorney Docket No.	Q008 1050.1

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 09-0528 Deposit Account Name: Womble Carlyle Sandridge & Rice, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>46</u> - 20 or HP = <u>0</u> x <u>.00</u> = <u>.00</u>			

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
<u>4</u> - 3 or HP = <u>0</u> x <u>.00</u> = <u>.00</u>			

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
<u>        </u> - 100 = <u>        </u> / 50 = <u>        </u> (round up to a whole number) x <u>        </u> = <u>        </u>				

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement**Fees Paid (\$)**180.00**SUBMITTED BY**

Signature	<u>D. Scott Sudderth</u>	Registration No. (Attorney/Agent)	<u>34,026</u>	Telephone	<u>404-962-7527</u>
Name (Print/Type)	<u>D. Scott Sudderth</u>			Date	<u>July 3, 2007</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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